

Cases Disposed of Without Consideration by the Court. 311 U. S.

No. 607. *AMERICAN LUMBERMENS MUTUAL CASUALTY Co. v. SUTCLIFFE, ADMINISTRATRIX, ET AL.* January 6, 1941. Pétition for writ of certiorari to the Circuit Court of Appeals for the Second Circuit denied. *Mr. Frederick A. Keck* for petitioner. *Mr. Anthony J. Travia* for respondents. Reported below: 115 F. 2d 410.

CASES DISPOSED OF WITHOUT CONSIDERATION BY THE COURT, THROUGH JANUARY 6, 1941.

Nos. 70 and 71. *GRAND TRUNK WESTERN RAILROAD Co. v. STEPHENSON, ADMINISTRATRIX.* Certiorari, 310 U. S. 623, to the Circuit Court of Appeals for the Seventh Circuit. July 1, 1940. Dismissed per stipulation pursuant to Rule 35. *Mr. Silas H. Strawn* for petitioner. *Mr. Ralph F. Potter* for respondent. Reported below: 110 F. 2d 401.

No. 219. *DOWNER v. O'BRIEN, SHERIFF, ET AL.* Appeal from the Supreme Court of Illinois. August 30, 1940. Dismissed per stipulation pursuant to Rule 35. *Mr. Lee R. La Rockelle* for appellant. *Mr. John E. Cassidy*, Attorney General of Illinois, for appellees. Reported below: 373 Ill. 383; 26 N. E. 2d 488.

No. 6. *MURRAY, RECEIVER OF INTERBOROUGH RAPID TRANSIT Co., v. CITY OF NEW YORK ET AL.*; and

No. 7. *ROBERTS, RECEIVER OF MANHATTAN RAILWAY Co., v. MURRAY, RECEIVER, ET AL.* Petitions for writs of certiorari to the Circuit Court of Appeals for the Second Circuit. September 18, 1940. Dismissed per stipulation pursuant to Rule 35. *Messrs. Carl M. Owen, Nathan L. Miller, and James L. Quackenbush* for Murray, Receiver of Interborough Rapid Transit Co.; *Wilbur Cummings*

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for Interborough Rapid Transit Co.; *John W. Davis* and *Edwin S. S. Sunderland* for Guaranty Trust Co. et al.; *Phillip A. Carroll* for J. Herbert Case et al.; *Jesse E. Waid* and *J. M. Hartfield* for Bankers Trust Co.; *Louis Boehm* for Norman Johnson et al.; and *Ira W. Hirshfeld* for Dwight F. Faulkner, Jr. et al. Messrs. *William C. Chanler*, *William G. Mulligan, Jr.*, *Paxton Blair*, and *John D. Hill* for the City of New York; *John J. Curtin*, *Joseph H. Choate, Jr.*, and *Chester W. Cuthell* for the Transit Commission; *Charles E. Hughes, Jr.* and *Allen S. Hubbard* for Roberts, Receiver of the Manhattan Railway Co.; *Harold C. McCollom* for Central Hanover Bank; *Arthur A. Gammell* and *Timothy N. Pfeiffer* for Chase National Bank; *Boykin C. Wright* and *Clifton Murphy* for Van Santvoord Merle-Smith et al.; *Rayford W. Alley* for William S. Kies et al.; *William V. Hodges* for Nathan L. Amster et al.; *Charles Franklin* for Manhattan Ry. Co.; and *John B. Doyle* and *Franklin C. Laughlin* for Harold Palmer et al. Reported below: 103 F. 2d 889.

No. 321. *KEEFE ET AL. v. BRODERICK, COLLECTOR.* On petition for writ of certiorari to the Circuit Court of Appeals for the First Circuit. September 20, 1940. Dismissed per stipulation pursuant to Rule 35. *Mr. Ira Lloyd Letts* for petitioners. *Solicitor General Biddle* and *Mr. N. A. Townsend* for respondent. Reported below: 112 F. 2d 293.

No. 98. *BAILEY ET AL., EXECUTORS, v. UNITED STATES.* On petition for writ of certiorari to the Court of Claims. September 27, 1940. Dismissed per stipulation pursuant to Rule 35. *Mr. Gordon H. Block* for petitioners. *Solicitor General Biddle* and *Mr. N. A. Townsend* for the United States. Reported below: 89 Ct. Cls. 364; 90 *id.* 644; 31 F. Supp. 778.

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No. 63. *RYAN v. EMPLOYERS' LIABILITY ASSURANCE CORP.* Certiorari, 310 U. S. 621, to the Circuit Court of Appeals for the Sixth Circuit. September 28, 1940. Dismissed per stipulation pursuant to Rule 35. *Mr. M. Y. Yost* for petitioner. *Mr. John R. Kistner* for respondent. Reported below: 100 F. 2d 690.

No. 125. *MISSOURI PACIFIC TRANSPORTATION Co. v. TALLEY.* On petition for writ of certiorari to the Supreme Court of Arkansas. October 7, 1940. Dismissed on motion of counsel for the petitioner. *Mr. C. H. Moses* for petitioner. *Messrs. Theron W. Agee and David S. Partain* for respondent. Reported below: 199 Ark. 835; 136 S. W. 2d 688.

No. 241. *BURLEIGH v. UNITED STATES, ACTING FOR AND IN BEHALF OF THE FARM CREDIT ADMINISTRATION.* On petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit. October 7, 1940. Dismissed pursuant to stipulation of counsel. *Mr. Guy E. Kelly* for petitioner. *Solicitor General Biddle* for respondent. Reported below: 110 F. 2d 793.

No. 339. *HART v. UNITED STATES.* On petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit. October 7, 1940. Dismissed on motion of counsel for the petitioner. *Mr. O. R. McGuire* for petitioner. *Solicitor General Biddle, Assistant Attorney General Rogge, and Mr. Fred E. Strine* for the United States. Reported below: 112 F. 2d 128.

No. 248. *NATIONAL LABOR RELATIONS BOARD v. STERLING ELECTRIC MOTORS, INC.* On petition for writ of certiorari to the Circuit Court of Appeals for the Ninth Cir-

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Rehearing Denied.

cuit. October 28, 1940. Dismissed on motion of counsel for the petitioner. *Solicitor General Biddle* and *Messrs. Charles Fahy* and *Robert B. Watts* for petitioner. *Mr. Earle M. Daniels* for respondent. Reported below: 109 F. 2d 194; 112 *id.* 63; 114 *id.* 738.

No. 508. *LANE COTTON MILLS Co. v. NATIONAL LABOR RELATIONS BOARD*. On petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit. December 9, 1940. Dismissed on motion of counsel for the petitioner. *Messrs. Charles Rosen, Alfred C. Kammer, Benjamin W. Dart, Henry P. Dart, and Esmond Phelps* for petitioner. Reported below: 111 F. 2d 814.

PETITIONS FOR REHEARING DENIED, FROM
OCTOBER 7, 1940, THROUGH JANUARY 6, 1941.*

No. 621, October Term, 1939. *VILES v. PRUDENTIAL INSURANCE Co.*; and

No. 854, October Term, 1939. *MOON v. UNION CENTRAL LIFE INSURANCE Co. ET AL.* October 14, 1940. The motions for leave to file petitions for rehearing in these cases are denied. 309 U. S. 695; 310 U. S. 658.

No. 459, October Term, 1939. *H. ROUW COMPANY v. CRIVELLA*. See *ante*, p. 613.

No. —, original, October Term, 1939. *EX PARTE EDMOND C. FLETCHER*. October 14, 1940. 310 U. S. 615.

No. —, original, October Term, 1939. *EX PARTE ALBERT LEIGHTON*. October 14, 1940. 309 U. S. 641.

*See Table of Cases Reported for references to earlier orders in these cases, unless otherwise indicated.